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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Wing K. Cheung, et al.

Serial No.: 10/775,928 Art Unit: 1654

Filed: February 10, 2004 Examiner: Jeffrey E. Russel

For: PHARMACEUTICAL CORPORATIONS OF ERYTHROPOIETIN

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

October 10, 2005

/Myra H. McCormack/

Date

Signature

Myra H. McCormack

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

**PETITION FOR EXTENSION OF TIME AND AUTHORIZATION
TO CHARGE DEPOSIT ACCOUNT THEREFOR**

Dear Sir:

Reference is made to the Official Action dated May 9, 2005 in the above-mentioned case. The only outstanding rejection was the obviousness-type double patenting over U.S. Patent No 6,696,056.

Applicant(s) petition(s) the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated May 9, 2005 for two (2) month(s) from August 9, 2005 to October 9, 2005.

A Terminal Disclaimer responding to the aforesaid Office Action is being filed concurrently herewith.

Please charge Deposit Account No. 10-0750/ORT0980CON/FDC in the name of Johnson & Johnson for the cost of filing this Petition as well as the fee for filing the Terminal Disclaimer. Three copies of this Petition are enclosed.

No additional fees are believed due. However, the Commissioner is hereby authorized to charge any additional fees or deficiencies due or credit any overpayment to Deposit Account No. 10-0750/ORT0980CON/FDC.

Respectfully submitted,

/Myra H. McCormack/

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